IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE
and
THE HON'BLE MS JUSTICE G.ROHINI

WRIT APPEAL NO : 932 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 11/03/2004 in WP NO : 20322 OF 1993 on the file of the High Court.)

Between:
1 Mohammed Ali, S/o. Muqdam Ali, Muslim,
R/o. Nanganur, Medak District.
2 Muqdoom Ali, (Died)

..... APPELLANTS

AND

1 The Mandal Revenue Officer, Nanganuru, Medak District.
2 The District Collector, Medak at Sangareddy.
3 The Station House Officer, Rajagopalpet Police Station,
Rajagopalpet, Medak District.

.....RESPONDENT(S)

For the Appellant: MR.S.R.SANKU , Advocate

For the Respondent No.: GP FOR REVENUE

The Court Made the Following :

ORAL ORDER (per Hon'ble The Chief Justice):

On 28th "December 1993 petitioners filed writ petition seeking a writ of Mandamus directing the second respondent to initiate action against Mandal Revenue Officer for the alleged acts of interference with petitioners' land bearing Sy.No. 599/A and 625/AA admeasuring Ac.3.37 guntas and Ac 3.20 guntas situated in Nanganuru village, Medak District,

pending disposal of the enquiry by the Revenue Divisional Officer and to declare the action of the Mandal Revenue Officer permitting others to raise 40 huts in the land of the petitioners as illegal.

Learned Single Judge dismissed the writ petition which order is impugned in the present appeal on the ground that possession of the land in question was already taken as on 1st September 1993 in Survey No. 599/A to an extent of Ac 3.37 guntas and remaining Ac 3.20 guntas in Survey No. 625/AA on 4-10-1993 by the Government and the same was allotted as house sites to the poor people of Nanganuru village on 2nd November 1993. Writ petition filed after possession was taken over was thus dismissed. Appeal against said order., in our considered view, has no force and is liable to be dismissed.

Learned counsel for the appellants, however, contends that since the petitioners' land was resumed, respondents ought to have paid compensation to the petitioners and direction has to be issued to the respondents to pay compensation to the petitioners.

We have duly considered the submissions and find no force that a direction could be issued in law against the respondents in the proceedings, which had nothing to do with the amount of compensation now being claimed by the petitioners. Petitioners will have to first submit their claim before the authorities and in case their grievance is not redressed, it is for the petitioners to take appropriate steps for redressal of their grievance.

With leave and liberty granted to the appellants, appeal is dismissed. No costs.

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DEVINDER GUPTA. C.J.,

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G. ROHINI. J.,

Dated: 25.06.2004.

KVRK.

To

1 The Mandal Revenue Officer, Nanganuru, Medak District.
2 The District Collector, Medak at Sangareddy.
3 The Station House Officer, Rajagopalpet Police Station, Rajagopalpet, Medak District.

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